

WATER COUNCIL MEETING

Dept. of Environmental Services
29 Hazen Dr., Concord, N.H.

December 10, 2008
9:00 a.m.

Members present: Chairman Bridges, Vice Chairman Christie, Councilors Butler, Cowan, Czysz, Densberger, Henderson, Lyons, Phillips, Rastallis, Rawnsley, and Varotsis

Members absent: Councilors Barrett, Dupee, and Harrington

Chairman Bridges called the meeting to order at 9:00 a.m.

1. Approval of Minutes of November 12, 2008 Meeting

A motion was made by Councilor Butler to accept the minutes as corrected of November 12, 2008, second by Councilor Phillips. The Council unanimously voted to approve this motion.

2. Status of Appeals

Amy Samson, Appeals Clerk, presented an update on a number of appeals and requested Council action on several, as noted below.

I. **Cases awaiting Council action:**

- **Docket No. 08-30 WC – David Hoyt Appeal**

The Appeal was tabled on August 13, 2008. December 8, 2008 Appellant submitted a sufficient appeal.

A motion was made to accept the appeal by Councilor Rawnsley, second by Councilor Varotsis. The Council unanimously voted to approve this motion.

Presiding Officer will be Councilor Rawnsley.

- **Docket No. 08-54 WC – Loretta Simonds**

The Appeal was received insufficient September 5, 2008. A sufficient appeal was submitted on November 3, 2008.

A motion was made to accept the appeal by Councilor Christie, second by Councilor Henderson. The Council unanimously voted to approve this motion.

Presiding Officer will be Councilor Rawnsley.

- **Docket No. 08-57 WC – Eric W. Waleryszak Appeal**
October 27, 2008 the Notice of Appeal was received insufficient.
- **Docket No. 08-59 WC – Brian T. & Adela J. Griset Appeal**
October 29, 2008 the Notice of Appeal was received insufficient. December 1, 2008 the appellant submitted a sufficient appeal.

A motion was made to table both 08-57 WC and 08-59 WC until the next meeting, second by Councilor Densberger. The Council unanimously voted to approve this motion.

- **Docket No. 08-61 WC – Norman and patricia Bureau Appeal**
Notice of Appeal received insufficient on December 3, 2008. The appellant has until the next Council meeting to submit a sufficient appeal.

II. Hearings Held

- **Docket No. 07-29 WC – Andrew and Karen Goldstein**
Councilor Butler completed the Decision and Order and it is ready to be sent.

III. PHC scheduled.

- **Docket No. 07-11 WC William and Melissa Brouck**
A Pre-Hearing Conference (PHC) is scheduled for January 12, 2009 at 9 AM.

Councilor Varotsis will be the Presiding Officer.
- **Docket No. 08-29 WC – Silver Lake.**
A Pre-Hearing Conference will need to be scheduled.

Councilor Densberger will be the Pre-Hearing Officer.

IV. Previously pending cases.

- **Docket No. 04-05 WC - Freudenburg-NOK General Partnership Appeal**
This appeal will be on the Council's agenda in February 2009.
- **Docket No. 04-18 WC - Thaddeus Dymon Appeal**
A PHC was scheduled for November 21, 2008 at 11 AM. See next appeal.
- **Docket No. 04-19 WC - Town of Newport Appeal**
A PHC was scheduled for November 21, 2008 at 11 AM. Mr. Dymon was unable to attend. Everyone is still waiting for a decision to be made by Superior Court. The PHC has been moved back to late April.

Councilor Cowan will be the Presiding Officer for both 4-18 WC and 4-19 WC.

- **Docket No. 06-13 WC - Shane Forest Appeal**

A PHC was scheduled for November 21, 2008 at 1:30 PM and Mr. Forest did not show. Councilor Christie made the clerk aware that this appeal should be forwarded to the Wetlands Council because the appeal is in regards to Shoreland. The appeal will be forwarded to the Wetlands Council.

- **Docket No. 08-27 WC – Moody Point Company**

The Appeal was accepted by the Council on July 22, 2008.

September 24, 2008 – A Joint Motion to Continue and Stay the Administrative Order was received.

October 17, 2008 – Moody Point Company Association filed a Petition to Intervene.

October 22, 2008 – Moody Point Company filed an Objection to petition to Intervene of Moody Point Community Association.

October 30, 2008 – A Reply to Objection of Moody Point Company to petition to Intervene was received by Moody Point Community Association.

November 12, 2008 the Council accepted the joint motion to continue and stay the administrative order.

This will be addressed at the February 11, 2009 meeting.

3, Rules

Env-Dw 1002, Water Supply Land Protection Grant Program

Holly Green, Drinking Water Ground Water Bureau, distributed a summary of the rule changes and then gave a presentation on the grant program. She will return in January for Council approval.

4. Presentation

Pat Hannon, Supervisor of the Residuals Management Section, and Ray Gordon, Septage Coordinator, both of the Wastewater Engineering Bureau gave a presentation on Septage Capacity. They presented on septage disposal capacity in the past and where we are today. Also the disposal management of grease trap ways.

In the 2007 legislative session House Bill 699 was passed to establish a study commission to study the methods and costs of sewage, sludge and septage management. The final report was issued to the legislature on November 1, 2008. The report is available online.

5. Legislative Update – Harry Stewart

Legislative Service Requests (LSRs) are being developed but there is no language for bills yet.

All the agencies have been required to reduce general fund budgets by the Governor with approval of the legislature. Vacant positions will not be filled. There will be no new wastewater state aid grants through the end of this fiscal year. The drinking water state aid grants have been zeroed out for the rest of the year. The source water protection program will have not more funding for the rest of the year.

6. **Other Business**

Councilor Butler requested a presentation on how the nutrient criteria in New Hampshire is being impacted at the Long Island Sound.

7. **Next Meeting**

The next meeting is scheduled for January 14, 2009.

8. **Adjournment**

A motion was made by Councilor Varotsis to adjourn. The motion was seconded by Councilor Cowan and unanimously approved.

Meeting was adjourned at 11:00 AM.